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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**
11

12 IN RE TFT-LCD (FLAT PANEL)
13 ANTITRUST litigation

Case No. 3:07-MD-1827 SI
MDL No. 1827

14 _____
15 This Document Relates to:

16 All Indirect Purchaser Actions
17 _____

**SECOND [~~PROPOSED~~] ORDER
APPROVING REIMBURSEMENT OF
LITIGATION EXPENSES TO
INDIRECT PURCHASER
PLAINTIFFS' COUNSEL FROM
ESCROW FUND**

The Honorable Susan Illston

1 WHEREAS, on April 3, 2013, the Court issued its Second Amended Order Granting Final
 2 Approval of Combined Class, *Parens Patriae*, and Governmental Entity Settlements With AUO,
 3 LG Display, and Toshiba Defendants; Ordering Final Judgment of Dismissal With Prejudice;
 4 Award of Attorneys' Fees, Expenses, and Incentive Awards ("Final Approval Order"), which
 5 approved reimbursement of \$8,736,131.43 in litigation costs from the Settlement Fund;¹ and

6 WHEREAS, the Settlement Agreements reached with the Defendants² state that Indirect
 7 Purchaser Plaintiffs' ("IPP") counsel ("Plaintiffs' Counsel") may be reimbursed their costs from the
 8 Settlement Fund within five (5) court days after the Court issues an Order awarding reimbursement
 9 of costs; and

10 WHEREAS, the Settlement Agreements require that each firm seeking reimbursement of
 11 costs provide a written undertaking to reimburse the funds if a subsequent court modifies or vacates
 12 the Final Approval Order regarding litigation costs; and

13 WHEREAS, Defendants have no objection to the approved litigation costs being withdrawn
 14 from their *pro rata* share of the overall settlement funds; and

15 WHEREAS, the Final Approval Order and the written undertakings of all firms seeking
 16 reimbursement of costs have been provided to the escrow agent, Wells Fargo Bank, N.A., and the
 17 Defendants; and

18 WHEREAS, the escrow agent has informed the parties that it requires an order from the
 19 Court listing the firms seeking reimbursement at this time, and their respective reimbursement
 20 amounts, before it will distribute reimbursement of these litigation costs; and

21 WHEREAS, Plaintiffs' Co-Lead Counsel certify that attached hereto as **Exhibit A** is a true
 22 and correct list of law firms seeking reimbursement of litigation costs at this time and who have
 23 executed written commitments to reimburse costs should a later court reverse or modify the Court's
 24 order regarding litigation costs.

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 27 ¹ See Docket No. 7697 at 30:6-7.

² See AUO Settlement, ¶33(b), Chimei Settlement, ¶34(b), Chunghwa Settlement, ¶¶20-22,
 28 Epson Settlement, ¶23(b), Hannstar Settlement, ¶35(b), Hitachi Settlement, ¶35(c), LG Settlement,
 ¶35(b), Samsung Settlement, ¶22(b), Sharp Settlement, ¶ 30(b), Toshiba Settlement, ¶21(b).

1 THEREFORE, IT IS HEREBY ORDERED that Wells Fargo Bank, N.A. shall pay the
2 amounts set forth in **Exhibit A** to the respective firms identified therein within five (5) court days.

3 The balance of funds in the escrow account shall be retained until such time as such funds
4 shall be distributed pursuant to the terms of the Settlement Agreements and/or further order(s) of
5 the Court.

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7 **IT IS SO ORDERED.**

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9 Dated: 2/25, 2014



THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

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EXHIBIT A

Firm Name	Amount
Cohen & Malad	\$30,000.00
Cooper & Kirkham, P.C.	500,000.00
Frankovitch Anetakis Colantonio & Simon	5,000.00
Godfrey & Kahn, SC	5,000.00
Lovell Stewart Halebian LLP	575,000.00
McCallum Methvin & Terrell	15,000.00
Law Offices of Lawrence G. Papale.....	15,000.00
Wexler Wallace	5,000.00
Zelle, Hofmann, Voelbel, & Mason LLP	<u>550,000.00</u>
Total	<u>\$1,700,000</u>